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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Jacques Owen et al.

Serial No.:

10/826829

Filing Date:

4/16/2004

For:

PHYTO FLUID

Group Art Unit:

Unknown

Examiner:

Unknown

Attorney's Docket No.:

MCCART-5

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicants hereby submit documents and information which may be considered material to the examination of this application. These documents and information are listed on the accompanying forms.

Copies of documents 1-14, which are listed on the accompanying Form PTO/SB/08A (substitute for Form PTO-1449), are enclosed herewith.

Applicants respectfully request that these documents be fully considered by the U.S. Patent and Trademark Office during the examination of this application and printed on any patent which may issue on this application. Applicants also respectfully request that a copy of the Form PTO/SB/08A (substitute for Form PTO-1449) (one page), submitted herewith, as considered and initialed by the Examiner, be returned to the undersigned with the next communication.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is believed to be required.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97 and 1.98. If for any reason the Examiner considers otherwise, it is respectfully requested that the undersigned be contacted by the Examiner by telephone in order that any deficiencies may be expeditiously remedied.

The enclosed documents may have markings thereon. Applicants are not presently aware of the source of those markings, and no significance is meant to be attached thereto.

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

Thank you.

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| June 10, 2004                                                | James a. Munda 6/10/00  |
| (DATE OF DEPOSIT)                                            | James A. Sheridan       |
| James A. Sheridan                                            | √ Reg. No. 43,114       |
| (NAME OF ATTORNEY)                                           | Pandiscio & Pandiscio   |
| / James U. Shoreson 6/10/04                                  | 470 Totten Pond Road    |
| (SIGNATURE)                                                  | Waltham, MA 02154       |
| June 10, 2004                                                | Tel. (617) 290-0060     |
| (DATE OF SIGNATURE)                                          |                         |

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| June 10, 2004                                                                                                                                                                                                                               | / muss (1. summer 6/10/                                                            |
| (DATE OF DEPOSIT)                                                                                                                                                                                                                           | James A Sheridan                                                                   |
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| James A. Sheridan                                                                                                                                                                                                                           | √ Reg. No. 43,114                                                                  |
| (NAME OF ATTORNEY)                                                                                                                                                                                                                          | , Pandiscio & Pandiscio                                                            |
| / James a. Sheredan 6/10/0                                                                                                                                                                                                                  | 4 470 Totten Pond Road                                                             |
| (SIGNATURE)                                                                                                                                                                                                                                 | Waltham, MA 02154                                                                  |
| June 10, 2004                                                                                                                                                                                                                               | Tel. (617) 290-0060                                                                |
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|----------------------------------------------------------|------------------------|----------------------|---------------------|------------------------|------------|--|
| INFORMATION DISCUIDE                                     |                        |                      | CI OCUBE            | Application Number     | 10/826,829 |  |
|                                                          | INFORMATION DISCLOSURE |                      | Filing Date         | 4/16/2004              |            |  |
| STATEMENT BY APPLICANT (use as many sheets as necessary) |                        | First Named Inventor | Jacques Owen et al. |                        |            |  |
|                                                          |                        | Group Art Unit       | Unknown             |                        |            |  |
|                                                          |                        | Examiner Name        | Unknown             |                        |            |  |
| Sheet                                                    | 1                      | of                   | 1                   | Attorney Docket Number | MCCART-5   |  |

|                       | U.S. PATENT DOCUMENTS |                                          |                                                 |                                                        |                                                                                    |  |  |
|-----------------------|-----------------------|------------------------------------------|-------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------|--|--|
| Examiner<br>Initials* | Cite<br>No.1          | U.S. Patent Document  Number  (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |  |  |
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|                                         | FOREIGN PATENT DOCUMENTS |                                                  |                     |                                      |                             |                                                  |                                                    |                |
|-----------------------------------------|--------------------------|--------------------------------------------------|---------------------|--------------------------------------|-----------------------------|--------------------------------------------------|----------------------------------------------------|----------------|
| Examiner Cite<br>Initials* No.1         | Foreign Patent Document  |                                                  |                     | Name of Patentee or                  | Date of Publication of      | Pages, Columns, Lines,                           | T                                                  |                |
|                                         |                          | Office <sup>3</sup>                              | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) | Applicant of Cited Document | Cited Document<br>MM-DD-YYYY                     | Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
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| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.